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Attorneys for GEICO CASUALTY COMPANY

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

STEPHEN McCLEAN, an individual,  
  
Plaintiff,  
  
v.

GEICO CASUALTY COMPANY, a Foreign  
Limited - Liability Company; DOES I through  
X, inclusive; and ROE CORPORATIONS I  
through X, inclusive,  
  
Defendants.

Case No. 2:24-cv-00063-GMN-MDC

**STIPULATION AND ORDER TO STAY  
DISCOVERY**

Plaintiff Stephen McClean and Defendant GEICO Casualty Company (“GEICO”), by and through their respective counsel of record, hereby stipulate to stay discovery until after this Court’s ruling on Defendant’s Motion to Dismiss (Doc. 7). The parties believe that conducting discovery that specifically concerns Plaintiff’s extra-contractual claims at this time would not be in the best interests of the parties. The parties believe that a stay of discovery is appropriate in this case under the two-step analysis in *Scharder v. Wynn*, No. 2:19-cv-02159-JCM-BNW, 2021 WL 4810324, at \*4 (D. Nev. Oct. 14, 2021). In addition, a stay would accomplish the objectives of Rule 1: a just, speedy, and inexpensive determination of the action. Fed. R. Civ. P. 1. It is possible that the Court

1 will grant Defendant's Motion, making all such discovery moot. However, absent a stay the parties  
2 would be compelled to conduct this discovery on the extra-contractual causes of action that are the  
3 subject of the pending Motion, in order to meet applicable discovery deadlines. The parties further  
4 stipulate that they will submit a proposed discovery plan and scheduling order within twenty-one  
5 (21) days of the entry of the Court's ruling on Defendant's Motion to Dismiss (Doc. 7).

6 **ORDER**

7 IT IS HEREBY ORDERED that discovery in this case is stayed until after the entry of this  
8 Court's ruling on Defendant's Motion to Dismiss (Doc. 7).

9 IT IS RESPECTFULLY SUBMITTED, AGREED, AND STIPULATED.

10 Dated: March 8, 2024

McCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP

11  
12 By: /s/ Jonathan W. Carlson  
Jonathan W. Carlson, Nevada Bar No. 10536  
13 Cheryl A. Grames, Nevada Bar No. 12752  
14 Chenelle L. Jackson, Nevada Bar No. 15750  
Attorneys for GEICO Casualty Company

15  
16 Dated: March 8, 2024

THE702FIRM INJURY ATTORNEYS

17  
18 By: /s/ Matthew P. Pawlowski  
Michael C. Kane, Nevada Bar No. 10096  
19 Bradley J. Myers, Nevada Bar No. 8857  
Matthew P. Pawlowski, Nevada Bar No. 9889  
20 Attorneys for Plaintiff

21 **ORDER**

22 **IT IS SO ORDERED.**

23 DATED this 11<sup>th</sup> day of March, 2024

24  
25  
26 By   
UNITED STATES MAGISTRATE JUDGE

27  
28 9733360.1 9731183.1

**CERTIFICATE OF SERVICE**

I hereby certify that on this 8<sup>th</sup> day of March, 2024, a true and correct copy of **STIPULATION AND ORDER TO STAY DISCOVERY** was served via the United States District Court CM/ECF system on all parties or persons requiring notice.

By /s/ Cheryl A. Schneider  
Cheryl A. Schneider, an Employee of  
McCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP